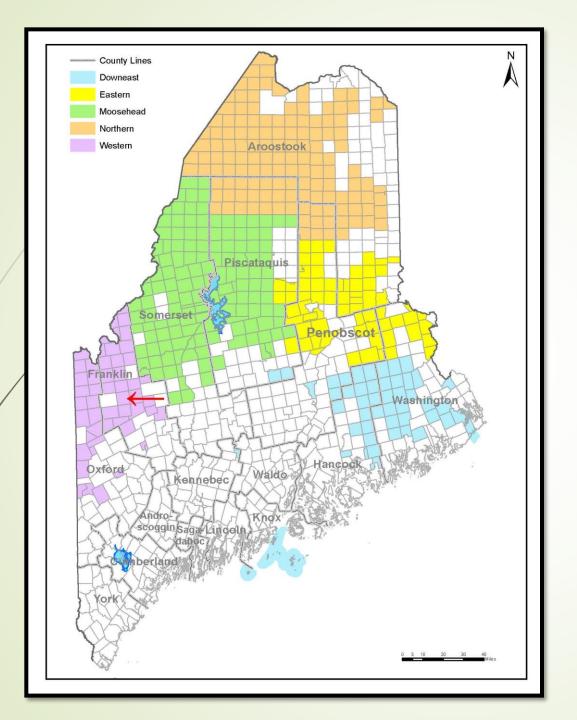
Amendment B to Development Permit DP 5050

Rising Tide Towers, LLC

Dallas Plantation, Franklin County, Maine

Location



Administrative History/Public Process

- On October 09, 2019: DP 5050 denied, 190-foot tower on a portion of Lot 49.
- On September 16, 2020: Commission provided direction to staff that any decision for a tower in Dallas Plantation would be made by the Commission.
- On April 01, 2020: DP 5070 returned, deemed substantially incomplete and no significant change in the proposal.
- On November 30, 2020: DP 5050-A returned, deemed substantially incomplete.
- March 18, 2021: DP 5050-B application received.
- March 30, 2021: DP 5050-B deemed complete for processing per Chapter 4.
- May 12, 2021: Commission voted to hold a public hearing on DP 5050-B.
- August 25, 2021: DP 5050-B application contained sufficient information to begin the review process and to schedule the public hearing.
- <u>September 07, 2021</u>: Commission completed a site visit and held a public hearing.
- October 15, 2021: Submission of an Alternative Tower Option with the opportunity for the public to comment until October 29, 2021, and rebuttal until November 06, 2021.
- November 06, 2021: Close of the public hearing record for DP 5050-B.

Proposal & Alternative

Proposal

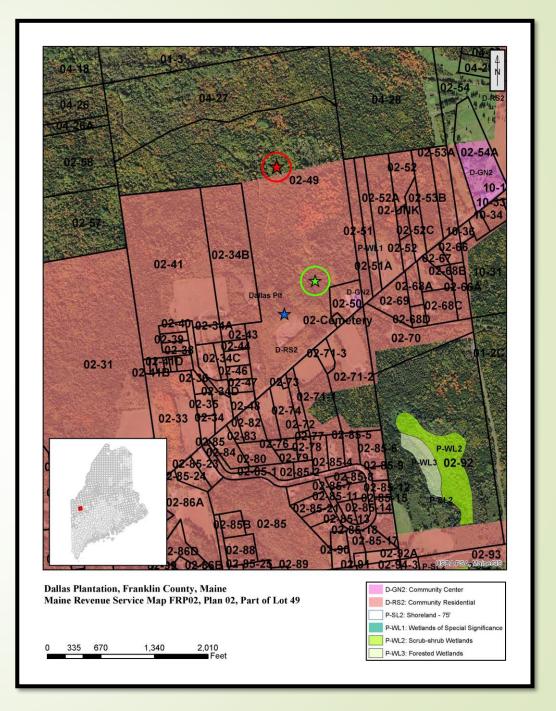
- 300-foot, lighted, lattice-style tower (M-GN), and
- 2,592-foot level C road project with adjacent electric line to serve the tower (M-GN and D-RS2).

Alternative Location & Design:

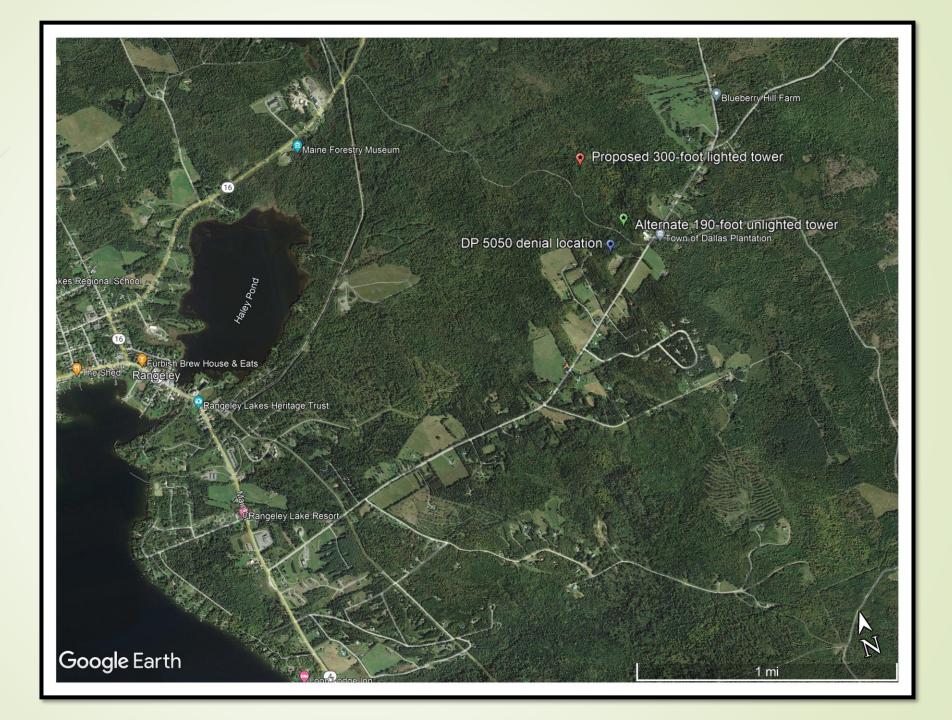
- 190-foot unlighted lattice-style tower, and
- 900-foot driveway and service drop (All in D-RS2).

Locations

- Proposed 300-foot lighted tower
- Alternate 190-foot unlighted tower
- DP 5050 denial location



Google Earth Locations



Request to Table Item



Agnieszka A. Dixon

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December 6, 2021

DELIVERY BY E-MAIL

Maine Land Use Planning Commission c/o Karen E. Bolstridge, Environmental Specialist III Maine Department of Agriculture, Conservation & Forestry 106 Hogan Road, Suite 8

Bangor, ME 04401

Re: Rising Tide Towers, LLC; DP 5050-B Telecommunications Facility Proposal
—Request to Table December 8, 2021 Deliberations

Dear Karen:

On December 2, 2021, the FAA issued a no-hazard determination letter for the 190-foot alternative tower option presented by Rising Tide Towers, LLC in its supplemental filing on October 15, 2021. To our great shock and dismay, the FAA ordered the tower to be constructed with FAA hazard lights. Given the FAA's determination, we respectfully request that the Commission table its deliberations on DP 5050-B scheduled for this Wednesday, December 8, 2021.

In the coming days, we will coordinate with LUPC staff to propose a revised review process and timeline that would allow this new information and any related analysis and documents to be entered into the administrative record for an additional round of public comment and for the Commission's future consideration.

Sincerely,

/s/ Aça Dixon Agnieszka A. Dixon

Stacie R. Beyer (via e-mail) Ben Godsoe (via e-mail)

800.727.1941 | dwmlaw.com

Staff Recommendation

- Staff recommends that the Commission grant the request of the Applicant and make a motion to:
 - Table the deliberation and decision on Amendment B to Development Permit DP 5050.